

TO CONTEST BECK'S WILL.

Mrs. Carter and Charles B. Bathgate Claim Shares.

The Millionaire Supposed that He Had Shut Them Off.

The will of the late Charles Bathgate Beck is to be contested. His millions will not be distributed as he wished to dispose of them without a bitter struggle in the courts.

On the day that the estate was returnable, which is Dec. 1, objections to the will filed yesterday will be made by Howe & Hummel, in behalf of Mrs. Matilda B. Carter and Charles B. Bathgate, who are mentioned by the testator as "the alleged children of my deceased uncle, Alexander Bathgate."

By the lines of the instrument they are expressly cut off from any share or interest in the estate of the late millionnaire, although they claim to be his first cousins, and should the will be upheld, they will be left with a share of the six or seven millions, together with the other relatives of the testator, while the five charitable corporations to which he has left the great bulk of his property, will get nothing.

Mrs. Carter and Charles B. Bathgate, whose litigation has been before the public at intervals since the death of Alexander Bathgate's old housekeeper, she claimed that she had been legally married to Bathgate, who, when he died, left all his wealth to his nephew, Charles B. Beck.

During his life Alexander Bathgate gave Della Malloy, who has since died, \$50,000 in lieu of all rights which she might claim to have in his estate, and in this way he believed that he had extinguished the rights of her two children.

It is said that Charles B. Beck, when he inherited the Bathgate property, made another competition with the children, and by a legal agreement they gave a full release of all their claims.

They have now boiled up again, however, and in a way which it is believed by those who have their interests in charge, threatens to make the end of trouble for the beneficiaries under the will of Mr. Beck.

It is said that the relatives of the late Mr. Beck are not at all averse to having the will contested. In fact, they would all like to see it broken, for none of them has received more than an insignificant slice of the dead man's millions, and there is enough, if it were distributed equally between them, to give each one a fortune.

The trouble is that they cannot, any of them, appear openly as contestants of the will without involving the share given to them under the instrument, and it is said they are very kind to the children come in and test the will for them.

If the attempt to break the will is unsuccessful they will profit immensely. As it is now the relatives of Beck get barely \$200,000 out of the high estate, while the five institutions, Columbia College, the Presbyterian Home, the New York Hospital, the Presbyterian Hospital and Dr. Parkhurst's Society for the Prevention of Crime, will divide more than \$5,000,000 between them.

Lawyer Steinhardt, for the contestants, does not say definitely on what grounds the will is to be contested, but it is also hinted that there may have been undue influence.

However that may be, the two children of Alexander Bathgate are preparing to make one more effort to establish their claims to inherit a fair share of their father's wealth.

WHERE IS DR. LOVATT'S \$500?

The Dead Man's Wife Talks Insinuatingly of Mrs. Gardiner.

Lays the Blame of His Death at Her Door and Says He Was Robbed.

Dr. Olen W. Lovatt, who shot himself in the head at his office, 167 West Twenty-first street, last evening, died at 3 o'clock this morning in the New York Hospital, where he had been removed immediately after the shooting. His wife had been at his bedside until an hour before, when she returned home. His twenty-one-year-old son was on hand when the physician breathed his last. From the time of the shooting until death occurred the physician never regained consciousness.

Beyond what his wife and son and Mrs. Kate Gardiner, in whose house he had his office, care to say there is no explanation of the suicide beyond the brief note written by the man before he fired the fatal shot. It was to the effect that he had lived long enough in misery and that he alone was responsible for his own death.

The mystery now is what became of the \$500 which Dr. Lovatt's wife claims he had in his possession a few days ago. When his clothing was searched yesterday only ten cents was discovered, and Mrs. Lovatt has no hesitation in asserting that it was stolen from him. She lays the blame of her husband's death at Mrs. Gardiner's door, and raises a question as to the character of her house.

A full week ago the physician, his wife and son lived in the Twenty-first street house. Then, Mrs. Lovatt declared, she discovered the house was not a proper one to live in, so she moved out with her son and took up apartments at 127 West Twenty-second street. The physician followed her.

Next day she called on her husband to urge him to go with her, but she says that Mrs. Gardiner first banged the door in her face, and afterwards assaulted her. For this she had Mrs. Gardiner arrested, and the physician was also brought to court on the charge of abandonment. Both cases were dismissed yesterday.

When an "Evening World" reporter called at 127 West Twenty-second street this morning Mrs. Lovatt was surrounded by half a dozen women, who tried to comfort her. She was hysterical, and raved that her husband had been driven to kill himself. She was as firm as ever in her conviction that his money had been stolen, and she had sent her son downtown to bring her up a lawyer.

She was going to bring suit at once, she said, but declined to say against whom or upon what grounds. Later in the day she said, when her nerves had become composed a little, she would "tell it all and demand justice."

Dr. Lovatt's sign still adorned the balcony around his office windows when the reporter called at Mrs. Gardiner's house. It was then 3:30 o'clock, and the outer door was securely fastened. In answer to repeated ringing of the bell a deformed old man appeared and said that Mrs. Gardiner was sleeping. Her usual time for arising in the morning, he said, was 10:30 o'clock, and he could not dream of disturbing her before that hour. The old man was surprised to hear of Dr. Lovatt's death. Then in a burst of confidence he went on to lay the blame for the physician's suicide upon the latter.

"Way," he said, "Dr. Lovatt told me a few days ago that he had neither peace nor rest on account of that woman. He had been married to her twenty-three years, and he often said he had been in misery all the time. Never allowed him to remain in any one place more than three or four weeks. He had only two wives, besides her, and he told me himself that his wife made him move no less than fifty times during the past couple of years."

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